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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/707,280	11/06/2000	Stephen S. Jackson	2204/A89	8450

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BROMBERG & SUNSTEIN LLP
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EXAMINER

QURESHI, SHABANA

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 11/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/707,280

Applicant(s)

JACKSON ET AL.

Examiner

Shabana Qureshi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-75 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-75 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/6/00 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,-75 are rejected under 35 U.S.C. 102(b) as being anticipated by Williams et al. (US 5,977,964).

In regard to claim 1, Williams discloses a method hence an apparatus and computer program for configuring a supported device (entertainment system, column 3, lines 48-57) based upon a detection logic (user's monitor system 204) for detecting the physical presence of a user and a device configuration logic (user's profile 206) to configure the supported device based upon the detection (see abstract, column 3, lines 5-38, and figures 2-3).

As to claims 2-5, Williams recites the detecting logic using a detector and an appliance gateway (controller 104) to determine the physical presence and identify the user. Please note the detector for detecting the physical presence can be defined as any device for controlling the entertainment system by the user and the logic is the logic shown in figure 3.

As to claims 6-7, Williams discloses identifying the user based upon behavioral information and interaction and configuring the device for the user based upon the identification (abstract; column 5, line 52 – column 6, line 24).

As to claims 8-11, Williams discloses configuring the device based upon obtaining user-specific information such as user's rules or preferences or application found in the user's profile

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(column 5, lines 42-59; column 6, lines 25-33) wherein the profile is stored in database resides locally or at a remote location (column 9, lines 30-44).

As to claim 12, Williams discloses providing the personalized service to the user based upon the identity of the user comprises at least one of:

- obtaining information for the user (column 3, lines 5-20; column 6, lines 8-18);
- anticipating needs of the user and providing the needs (column 15, lines 44-62);
- updating user preference information (column 8, lines 20-24);
- simplifying device controller for the user (column 5, lines 20-41);
- handling the user schedule (column 7, lines 30-58); and
- providing reminders to the user (column 7, lines 30-58).

As to claim 13, Williams discloses providing the personalized service to the user based upon the identity of the user comprises:

- establishing a personal area network for the user based upon the identity of the user (column 8, lines 41-67; column 15, lines 1-8); and
- providing the personalized service to the user within the personal area network (column 3, lines 5-38).

As to claim 14, Williams discloses providing the personalized service to the user within the personal area network comprises:

- providing information to the user within the personal area network (column 3, lines 5-20; column 6, lines 8-18).

As to claim 15, Williams discloses providing the personalized service to the user within the personal area network comprises:

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- monitoring a supported device within the personal area network (column 8, lines 25-40; column 9, lines 10-31).

As to claim 16, Williams discloses providing the personalized service to the user within the personal area network comprises:

- monitoring the user within the personal area network (column 8, lines 25-40; column 9, lines 10-31).

As to claim 17, Williams discloses providing the personalized service to the user within the personal area network comprises:

- maintaining a schedule for a user (column 7, lines 30-58); and
- providing a reminder to the user within the personal area network (column 7, lines 30-58; column 13, lines 50-62).

As to claim 18, Williams discloses providing the personalized service to the user within the personal area network comprises:

- retrieving information for the user over a communication network (column 14, lines 36-59).

As to claim 19, Williams discloses providing the personalized service to the user within the personal area network comprises:

- determining a user preference for a supported device (column 11, lines 20-47).

As to claim 20, Williams discloses providing the personalized service to the user within the personal area network further comprises:

- updating user preference information to include the user preference for the supported device (column 12, lines 20-35).

Claims 21-68 repeat the limitations of claims 1-12 and are therefore rejected accordingly.

As to claim 69, Williams discloses a computer program embodied in a computer readable medium (column 5, lines 1-14).

As to claim 70, Williams discloses a computer program embodied in a data signal (column 5, lines 15-19).

As to claim 71, Williams discloses a system for providing personalized services, the system comprises a gateway (controller 204; network/communication interface 624; column 14, lines 36-59) operably coupled to detect physical presence of a user and provide personalized services to the user based upon the physical presence of the user (see abstract, column 3, lines 5-38, and figures 2-3).

As to claim 72, Williams further discloses a physical presence detector in communication with the gateway for providing physical presence information to the gateway.

As to claim 73, Williams further discloses the gateway being operably coupled to determine an identity of the user based upon the physical presence of the user and provide the personalized services to the user based upon the identity of the user (please note the detector for detecting the physical presence can be defined as any device for controlling the entertainment system by the user and the logic is the logic shown in figure 3).

As to claim 74, Williams further discloses the gateway being operably coupled to obtain user-specific information and provide the personalized services to the user based upon the user-specific information (please note the detector for detecting the physical presence can be defined

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as any device for controlling the entertainment system by the user and the logic is the logic shown in figure 3).

As to claim 75, Williams further discloses the gateway being operably coupled to obtain the user-specific information from at least one of:

- a local storage of the computer system (column 6, lines 18-24);
- a supported device of the computer system (column 5, lines 1-13); and
- a remote storage over a communication network (column 6, lines 18-24).

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Conclusion


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shabana Qureshi whose telephone number is (571) 272-3990. The examiner can normally be reached on Monday - Thursday, 9:30 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shabana Qureshi
Examiner
Art Unit 2155

SQ
11/22/04


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER